

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMERICAN CIVIL LIBERTIES UNION, et al.	:	CIVIL ACTION
	:	
v.	:	NO. 98-5591
	:	
ALBERTO R. GONZALES in his official capacity	:	
as Attorney General of the United States	:	

**PRETRIAL ORDER No. 14
(CASE MANAGEMENT ORDER)**

AND NOW, this 20th day of April, 2005, upon consideration of the parties'

March 21, 2005, joint proposed case management order, and after the pretrial conference held on April 19, 2005, pursuant to Fed. R. Civ. P. 16(b) it is hereby **ORDERED** that:

1. Ann Beeson, Esquire shall be liaison counsel for the plaintiffs and Karen Stewart, Esquire shall be liaison counsel for the defendant. Liaison counsel shall be responsible for disseminating to their respective co-counsel information, important dates, and letters from the court, up-to-date service lists, and documents from opposing counsel and parties. Liaison counsel shall also be responsible to see that any necessary additions or changes in the identity of counsel of record shall be done properly;

2. After meeting and discussing the issue, the parties shall submit a joint report or stipulation by **Monday, May 2, 2005**, regarding any necessary waivers of the rules governing depositions and interrogatories;

3. Having been advised that plaintiffs will make a claim for counsel fees and expenses, plaintiff's counsel shall file under seal time sheets showing a description of each separate activity, the time and expenses spent during the preceding months, the applicable billing rates, and the accumulated total of time, hourly rates, and expenses to date by **Wednesday, June 1, 2005**. Thereafter, Plaintiff's counsel shall file such information under seal every sixty (60) days;

4. After meeting and discussing the issue, the parties shall submit a joint report or stipulation by **Wednesday, June 15, 2005**, regarding the discovery and maintenance of electronic information including, *inter alia*, computer based and digital information;

5. The date of the next pre-trial conference shall be **Tuesday, August 16, 2005, at 11 a.m.** in Chambers 4001, United States Courthouse, Philadelphia, Pennsylvania;

6. The discovery cut-off date for factual discovery shall be **Thursday, December 15, 2005**, that is all requests for discovery shall be noticed, responded to, and competed by that date. By **Monday, May 2, 2005**, the parties will exchange the names of third parties from which they intend to pursue discovery or to call as witnesses and, thereafter, the parties will have an obligation to continue to disclose the names of such third parties seasonably;

7. The discovery cut-off date for expert discovery shall be **Wednesday, March 15, 2006**. The parties will exchange principal expert reports by **Thursday, December 15, 2005**; will exchange expert rebuttal reports by **Wednesday, February 1, 2006**; and will commence expert depositions by **Wednesday, February 15, 2006**;

8. Immediately after receiving a discovery request as to which a party or third party will assert confidentiality, counsel shall informally inform the opposing party and the court of the confidentiality issue. Parties seeking third party discovery will discuss the issue of confidentiality with the third parties at the time of the discovery request;

9. The deadline for filing dispositive motions shall be **Friday, March 31, 2006**;

10. The deadline for filing motions in limine shall be **Monday, April 17, 2006**, to which responses shall be filed by **Monday, May 8, 2006**.

11. The deadline for entering into written stipulations shall be **Monday, May 15, 2006**;

12. The parties shall file a proposed final pretrial order pursuant to Local Rule of Civil procedure 16.1(d)(2)(a) no later than **Monday, May 15, 2006**. See also cmt. 5 to Local Rule 16.1 in the *Eastern District of Pennsylvania Federal Practice Rules Annotated*, Peter Vaira (Gann Law Books 2004-2005 Ed.); and Sample Forms 9 (pp. 194-199) and 36 (pp. 307-311) in Judicial Conference of the United States, *Civil Litigation Management Manual* (available at <http://www/fjc.gov>).

13. The trial of this action shall commence on **Monday, June 12, 2006**; and

14. The Court will, in due course, order the completion of further trial preparation filings and set a date for the final pretrial conference.

LOWELL A. REED, JR., S.J.